

**304.2-150 Records -- Inspection -- Destruction -- Subject to Open Records Act.**

- (1) The executive director shall carefully preserve in the office and in permanent form, a correct account of all his transactions and of all fees and moneys received by him by virtue of his office, together with all financial statements, examination reports, correspondence, filings, and documents duly received by the office. The executive director shall hand the same over to his successor in office.
- (2) The executive director shall keep a suitable record of all insurer certificates of authority and of all licenses issued under this code, together with all applicable suspensions and revocations and of the causes thereof.
- (3) Unless otherwise provided by law, records of the office shall be open to the extent provided by the Kentucky Open Records Act, KRS 61.872 to 61.884:
  - (a) The following records shall be open:
    1. Rate and form filings and information filed in support thereof;
    2. Other records as provided by law; and
    3. All information filed by the office with the National Association of Insurance Commissioners, which that association makes available;
  - (b) The following records shall be closed:
    1. All information received in confidence from insurance supervisory officials of other states or countries, or the National Association of Insurance Commissioners, including, but not limited to, information from the insurance regulatory information system. However, records described in this paragraph may be used by the executive director in enforcement prosecutions and proceedings for disciplinary action, and may be disclosed to other law enforcement authorities; and
    2. Other records as provided by law; and
  - (c) When inspection of office records is denied, any person challenging the denial shall follow the procedures set forth in the Kentucky Open Records Act, KRS 61.872 to 61.884.
- (4) After five (5) years, the executive director may destroy unneeded or obsolete records and filings in the office.
- (5) The office shall not charge a fee inconsistent with fees charged by other state agencies for copies of records requested by the public pursuant to this section.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 380, sec. 29, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 93, sec. 1, effective July 15, 1994; and ch. 496, sec. 2, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 437, sec. 4, effective July 15, 1986. -- Created 1970 Ky. Acts ch. 301, subtit. 2, sec. 15, effective June 18, 1970.

**Legislative Research Commission Note** (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.